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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,813	11/24/2003	Eliezer Krausz	P-5393-US	3466

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EXAMINER

BOCHNA, DAVID

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/718,813	Applicant(s) KRAUSZ ET AL.	
	Examiner David E. Bochna	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson et al. in view of Zine, Jr.

In regard to claim 1, Henderson et al. discloses a pipe clamp 28 for pipes repair by means of a metal clamping band to surround the pipes, and a flexible inner sleeve 24 disposed inside the clamping band; the improvement being the provision of a reinforcing material bonded to the flexible inner sleeve or embedded therein to inhibit axial expansion thereof when the inner sleeve is under compression between the pipes and the clamping band. Henderson et al. discloses embedding fibers within the sleeve (see col. 3, lines 19-28), which inherently means that at least some of the embedded fiber material would be coaxial with the pipe clamp. Henderson also discloses molding the inner sleeve with fibers so that the compression from the seal jacket can withstand the pressures from the leak at the leak point to eliminate any outwardly directed pressure points on the end seals (see col. 4, lines 10-22). Zine, Jr. teaches applying fibers in an axial direction to increase the strength of the jacket. Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the jacket of Henderson et al. to include axially placed fibers, as taught by Zine, Jr., in order to increase the strength of the jacket to better withstand the pressure points generated by the leaking holes.

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In regard to claim 2, the textile reinforcing material is an aramide fiber.

In regard to claim 3, the reinforcing material is embedded within the sleeve (see col. 3, lines 19-28).

In regard to claim 4, the reinforcing material is bonded within the sleeve (see col. 3, lines 19-28 where the fibers are blended with the silicon sealant, thereby bonding the reinforcing material with the sleeve).

In regard to claim 5, the flexible inner sleeve 24 is provided with sealing lips 32 on its inner face to contact the pipes.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson et al. in view of Zine, Jr. and further in view of Hauffe.

Henderson et al. discloses a pipe clamp as described above, but does not disclose that the inner sleeve carries an array of depressions over its inner face. Hauffe teaches providing a sleeve with an array of depressions so that the interior of the band can press against the pipe wall to provide a fluid-tight seal therewith. Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add an array of depressions to the sleeve of Henderson et al., as taught by Hauffe, so that the sleeve could more efficiently seal against the exterior surfaces of the pipes.

4. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson et al. in view of Zine, Jr. and further in view of Morriss, Jr.

Henderson et al. discloses a pipe clamp as described above, but does not disclose that the sleeve has a tapered overlapped section. Morriss, Jr. teaches providing a sleeve with tapered overlapped sections attached to the band so that the sleeve can better seal at the band joints.

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Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add tapered overlapping sections to the sleeve of Henderson et al., as taught by Morris, Jr., so that the sleeve could more efficiently seal at the point where two band ends are joined.

Response to Arguments

5. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

A handwritten signature in black ink, appearing to read 'David Bochna', with a stylized flourish at the end.

David Bochna
Primary Examiner
Art Unit 3679
December 10, 2004